

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 556 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

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RAJUBHAI RATILAL SHAH

Versus

STATE OF GUJARAT

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Appearance:

MR AY KOGJE for Petitioner

Mr. K.T.Dave, A.P.P. for the respondent.

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CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 28/06/1999

ORAL JUDGEMENT

Heard learned Advocate Mr.S.V. Raju on behalf of  
Mr. A.Y. Kogje, Advocate for the petitioner.

Rule. Learned A.P.P. Mr. K.T. Dave waives service  
or rule on behalf of the respondent.

During the course of hearing, learned Advocate

for the petitioner has stated that the petitioner is ready and willing to appear before the trial Court and submit application for cancellation of non bailable warrant issued by the Court on 28th May, 1999 considering the absence of petitioner as accused in Criminal Case no.1371/94 pending before the Court of J.M.F.C. Jetpur.

In the facts and circumstances of the case, the petitioner is directed to approach the Court of ld.J.M.F.C., Jetpur in the proceedings of Criminal case no.1371/99 and to make application for cancellation of non bailable warrant issued on 28-5-1999 against the petitioner. The petitioner shall give assurance to the Court that the petitioner shall remain present on 17th July, 1999 i.e. the next date fixed by the Court. The trial Court shall decide the application of the petitioner in accordance with law, however, till the application of the petitioner is decided by the Court of ld. J.M.F.C, Jetpur, the non bailable warrant issued against the petitioner vide order dated 28-5-1999 is stayed.

Rule is made absolute accordingly. Direct service is permitted.

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